

MANDATE

03-12450
USDC/INA
Judge Woodlock

**United States Court of Appeals
For the First Circuit**

No. 04-1865

CHESTER CLASBY,
Petitioner, Appellant,

v.

UNITED STATES,
Respondent, Appellee.

Before
Boudin, Chief Judge,
Lynch and Lipez, Circuit Judges.

JUDGMENT

Entered: May 31, 2005

Appellant has not demonstrated that his federal sentence has been served. A consecutive sentence may begin when a prisoner is paroled on a previously imposed state sentence; being statutorily eligible to seek parole does not terminate the state sentence or trigger the beginning of a consecutive federal sentence.

The judgment of the district court is summarily affirmed. See 1st Cir. R. 27(c).

By the Court:

**Certified and Issued as Mandate
under Fed. R. App. P. 41.**

Richard Cushing Donovan, Clerk.

Richard Cushing Donovan, Clerk

Susan Penney
Deputy Clerk

Date: 7-22-05

By: MARGARET CARTER
Chief Deputy Clerk.

[cc: Willie J. Davis, Esq., Timothy Q. Feeley, Esq. and Dina
Michael Chaitowitz, Esq.]